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March 25, 2019

**VIA ECF AND E-MAIL**

The Honorable Stuart M. Bernstein  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004

*Re: Picard v. Sonja Kohn, et al.; Adv. Pro. No. 10-05411 (SMB)*

Dear Judge Bernstein:

We represent Mrs. Sonja Kohn ("**Mrs. Kohn**"), Infovaleur, Inc. ("**Infovaleur**") and Tecno Development & Research, Ltd. ("**Tecno Gibraltar**," and together with Mrs. Kohn and Infovaleur, the "**Remaining Defendants**"), in the above matter.<sup>1</sup>

We write to advise the Court that, as we recently advised counsel for Irving H. Picard, the Trustee, the Remaining Defendants do not oppose the Trustee's Motion for Leave to File a Third Amended Complaint (the "**Motion to Amend**"), and the filing of the Trustee's updated Third Amended Complaint ("TAC"). A copy of the updated TAC is attached to the enclosed Stipulation among the parties ("Stipulation").

The Remaining Defendants intend to file a motion to dismiss the Trustee's Third Amended Complaint on the grounds, *inter alia*, of *res judicata*, collateral estoppel and comity. The parties jointly propose, and respectfully request, that the Court consider the following briefing schedule, which is incorporated in the enclosed Stipulation:

May 31, 2019 - Date by which the Remaining Defendants shall file their Motion to Dismiss the TAC;  
July 1, 2019 – Date by which the Trustee shall file his Opposition to the Remaining Defendants' Motion to Dismiss;  
July 22, 2019 – Date by which the Remaining Defendants shall file any Reply to the Trustee's Opposition to the Motion to Dismiss.

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<sup>1</sup>The Remaining Defendants submit this letter in the above-captioned adversary proceedings without prejudice to, and without waiver of, any rights, arguments or defenses they might otherwise have at law or in equity including, without limitations, their right to contest personal jurisdiction. The Remaining Defendants do not hereby submit to the jurisdiction of this Court.

**NEUBERGER QUINN GIELEN RUBIN GIBBER P.A.**

\_\_\_\_\_ - Hearing on the Remaining Defendants' Motion to Dismiss.

Respectfully,



Nathan D. Adler

cc: Steven W. Rhodes, Esq.  
Nathan D. Adler, Esq.  
Keith R. Murphy, Esq.  
Oren J. Warshavsky, Esq.